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Documents
In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A67-07287**
Date Received: 1/ 8/1990
Receipt No: W007437
Received By: as

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: LINDA BARRETT 208-253-6071
Address: PO BOX 88
FRUITVALE ID 83620

Name: STEVE SCHMOEGER 208-253-6071
Address: PO BOX 88
FRUITVALE ID 83620

2. Date of Priority: JUN 28, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	1	SE	SW			ADAMS

5. Description of diverting works:
WELL, 52', 6", SUBM. PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	1	SE	SW		DOMEST	

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 6, TRACT 2, REICO DEVELOPMENT CO.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. Ala 7-07287
Date Received 1-8-90
Receipt Number W007437NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional OfficeFor Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Linda Barrett, Steve Schmegeger Phone (208) 253-6071
Mailing Address P.O. Box 88, Fruitvale, ID Zip 836202. Date of Priority (Only one per claim) 6-28-76 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 17 N Range 1 W
Section 1, S ^{1/2} of SW 1/4 ~~SW 1/4~~ Govt. Lot _____, BM.,
County of Adams

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. well, 6" casing, 52' deep, submersible pump, pipe to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount .04 ^(cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 home

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 17 N Range 1 W
Section 1, S ^{1/2} of SW 1/4, Govt. Lot _____, B.M.,
County of Adams for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____
11. In which county (ies) are lands listed above as place of use located? Adams
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above. None ()
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date 6-28-76 Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number ~~67-7287~~
16. Signature (s) 67-7287
Number of Attachments _____
By signing I/We acknowledge reading the notice on the back of this claim form.
I/We wish to receive for a small annual fee monthly copies of the docket sheet.
YES _____ NO X

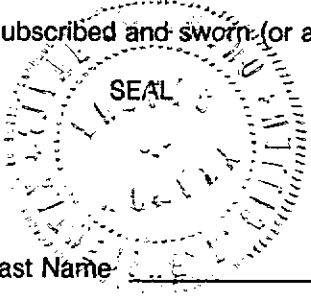
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) Lynda G. Barrett Date 1/2/89
Stephen P. Schumacher Date 1/2/89

For Organizations: I do solemnly swear or affirm that I am _____
of _____, that I have signed the foregoing
document in the space below as _____ of _____
and that the statements contained in the foregoing document are true and correct.
Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____ }
County of _____ } SS.

Subscribed and sworn (or affirmed) before me this 3rd day of January 19 90
Notary Public Katherine B. Gitter
Residing at Coeur d'Alene, Idaho 83612
My Commission Expires 7-1-94

Last Name _____ Ident No. _____
Copies: White-State, Yellow-Claimant

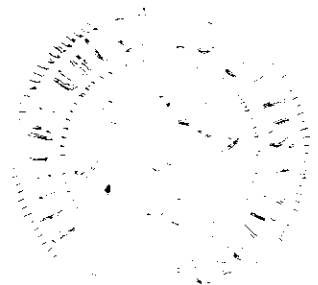


It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.



ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Baldett, Linda & Schmoeger, Steve CLAIM IDENT. NO. AL7-07287

DATE RECEIVED	RECEIPT #	FEE PAID	FEE REQ'D	YES	NO	Requi: Info:
1-8-90	#000743	\$25 ⁰⁰	\$25 ⁰⁰	<u>X</u>	<u> </u>	*
1. Is the name and address complete with zip code?				<u>X</u>	<u> </u>	*
2. Is a priority date entered?				<u>X</u>	<u> </u>	*
Is the priority date acceptable in view of mandatory filing dates?				<u>X</u>	<u> </u>	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.				<u>X</u>	<u> </u>	
3. (a) Is a source entered?				<u>X</u>	<u> </u>	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>				<u> </u>	<u> </u>	
4. Is the legal description of the p.d. sufficient?				<u>X</u>	<u>X</u>	*
5. Is there a description of the diverting works?				<u>X</u>	<u> </u>	
6. Are the water uses appropriate for the form?				<u>X</u>	<u> </u>	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.				<u>X</u>	<u> </u>	
Is the period of use included?				<u>X</u>	<u> </u>	
Is a quantity claimed for each use?				<u>X</u>	<u> </u>	*
7. Is a total quantity claimed entered?				<u>X</u>	<u> </u>	
8. If required is a consumptive use entered? N/A <u>X</u>				<u> </u>	<u> </u>	
Is the consumptive use correct? N/A <u>X</u>				<u> </u>	<u> </u>	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?				<u>X</u>	<u> </u>	*
If multiple domestic, is single ownership indicated?				<u> </u>	<u> </u>	
10. Is (are) the place(s) of use and purpose(s) indicated?				<u>X</u>	<u>X</u>	*
11. Is (are) the county(ies) entered?				<u>X</u>	<u> </u>	
12. Is the ownership of p.u. checked?				<u>X</u>	<u> </u>	
13. Are other water rights listed or "none" indicated?				<u> </u>	<u>X</u>	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A <u>X</u>				<u> </u>	<u> </u>	
15. Is the basis of the claim indicated?				<u>X</u>	<u> </u>	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A <u>X</u>				<u>X</u>	<u> </u>	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.				<u> </u>	<u> </u>	
If no, was water right no. found?				<u> </u>	<u> </u>	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A <u>X</u>				<u> </u>	<u> </u>	
(If yes, attach a proof report & complete number change)				<u> </u>	<u> </u>	
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.				<u> </u>	<u> </u>	
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A <u>X</u>				<u> </u>	<u> </u>	
19. Is the claim signed by the claimant, and is the signature appropriate?				<u>X</u>	<u> </u>	*
20. Has the claim been signed, sealed, and dated by a notary?				<u>X</u>	<u> </u>	*
21. Was this claim filed on time?				<u>X</u>	<u> </u>	*
(Check ML3 for date mailed-not all were mailed on the planned date)				<u> </u>	<u> </u>	
If no, was an extension of time filed & approved?				<u> </u>	<u> </u>	
22. Is the fee enclosed correct? Exempt <u> </u>				<u>X</u>	<u> </u>	

YES NO

23. Is this claim being rejected and returned to claimant? ☐ ☒
24. Can this claim be data entered? ☒ ☐
25. Was claim modified? ☐ ☐
- If yes, do modifications require notification to claimant? ☐ ☐
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: LD Date _____

Claim data entered by: _____ Date _____

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: 1/4 1/4 incomplete, on POD: Pou. Data enter as
on permit - send modify letter



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

3-8-95

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[Linda Barrett or Steve Schmoege
PO Box 88
Fruitvale ID 83620]

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and the receipt for the filing fee previously submitted are enclosed. **ONLY THE ITEM(S) SHOWN BELOW WITH A CHECKMARK HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM(S). IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).**

_____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

_____ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

_____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

_____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

✓ Items 6 & 7 - Quantity claimed has been modified to correspond to the basis of claim. Please contact this office if you are incorrect.

_____ Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.

_____ Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.

_____ Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.

_____ Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.

_____ Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.

✓ _____ other Point of diversion and place of use were incomplete. Those
items have been completed as shown on the license
which is your basis of claim.

If you have any problems or questions concerning these additions
and/or changes, please contact this office within 30 days from the
date of this letter. If we do not hear from you within this time, we
will assume you agree with these changes, and your claim will remain
on file as shown on the enclosed data entered copy.

Sincerely,

W. H. H.
Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

**SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS
CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE
LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR
ADDRESS ON A WATER RIGHT.**

Water Right Number - 67-07287

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
OLSON

CHRISTINE E.

1 - P.O. BOX 32
2 -
3 -

City- FRUITVALE

State- ID Zip- 83620

Phone -

Priority Date - - - + 06/28/1976 + - - - Region - - - + L - License + - - - Status - - - +

Source - - - - - + GROUNDWATER + - - - - Tributary - - - - - +

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
-----	-----	-----	-------	-----	------	--------	--------------------	----------------	----------------	---------------

17N	01W	1	SE SW			(3)	ADAMS			
-----	-----	---	-------	--	--	-------	-------	--	--	--

Code	Description	Period from	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

43 - DOMESTIC

01/01 12/31

0.020

1.20

Total Div. Rate - + 0.020 + - Total Div. Volume - + 1.20 + - Total Div. Capacity - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
-----	-----	-----	-------	-----	-------	------	--------------	-------------	--------

17N	01W	1	SE SW			43	DOMESTIC		(3) ADAMS
-----	-----	---	-------	--	--	----	----------	--	-------------

+ - - Diversion Means - WELL & PUMP.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks - - - - -
LOT 6, TRACT 2, REICO DEVELOPMENT CO.

- - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

- - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

- - - - - Decree Plaintiff - - - + - - - - - Decree Defendant - - - + - - - - - Decree Date - +
00/00/0000

WATER RIGHT

- - -Comments- - -
No Comments Found

Water Rights Dates and Flags Area					
Proof Due Date	09/01/1977	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	08/07/1976	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	01/01/1900	Hearing Date	00/00/0000	Temporary Right	- P
Exam to S.O. Date	00/00/0000	Verified Date	04/08/1985	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	-
Licensed Date	09/26/1983	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

4-16-95

Dept. of Water Resources;

In 1990 I filed claims to water rights on property that we subsequently sold.

The Identification Numbers on the claims are A67-07287 and A67-02053.

The new owner is Michelle Hansen. Her address is a P.O. Box in Fruitvale, Id. 83620.

A third claim I filed (# A67-00079E) I still own, but my address has changed from P.O. Box 88 in Fruitvale, to 2388 Orchard Road, Council, ID, 83612

Linda Barrett
& Steve Schmoeger

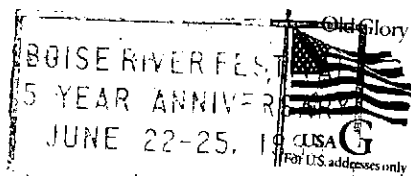
RECEIVED

APR 18 1995

WATER RESOURCES
WESTERN REGION



Linda Barrett
2388 Orchard Rd.
Council, ID 83612



State of Idaho
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082